

TERRELL BAUGH SALMON & BORN, LLP

Attorneys at Law
700 S. Green River Road, Suite 2000
Evansville, Indiana 47715
Telephone: 812-479-8721
Facsimile: 812-474-6059
Email: gprice@tbsblaw.com

FACSIMILE COVER SHEET

DATE: January 16, 2009

NUMBER OF PAGES (INCLUDING COVER PAGE): 4

PLEASE DELIVER TO: Mail Stop 16, Deposit Account

COMPANY:

FAX NUMBER: (571) 273-6500

FROM: Gary K. Price, Esq.

RE: Deposit Account No. 501684

COMMENTS:

IMPORTANT:

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Terrell, Baugh, Salmon & Born, LLP

ATTORNEYS AT LAW
700 S. GREEN RIVER ROAD, SUITE 2000 • EVANSVILLE, INDIANA 47715 • 812/479-8721 • Fax: 812/474-6059

THOMAS H. TERRELL
BRADLEY J. SALMON
D. TIMOTHY BORN
PATRICIA K. WOODRING
SHAWN M. SULLIVAN
KEITH E. ROUNDER
GARY K. PRICE*

FORD GALE LACEY
(1927-1982)

OF COUNSEL:
JERRY P. BAUGH

*Registered Patent Attorney

Via Facsimile: (311) 273-0500

January 10, 2009

Mail Stop 16
Director of U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313

RE: Deposit Account No.: 501684

Dear Sir or Madam:

This letter is in regard to the above-referenced deposit account. It appears that on December 22, 2008, under fee code 1801 a fee for a Request for Continued Examination of \$810 was charged to said deposit account for the following application:

Application No.: 10/729,841
Inventor: Barney P. Johnson
Title: Method for Creating Stereograms
Filing Date: December 5, 2003

A printout of the Deposit Account Statement for December 2008 is attached for your reference. The Applicant, Barney P. Johnson claimed Small Entity Status and should have therefore been charged the sum of \$405 rather than \$810. I enclose a copy of the Statement Claiming Small Entity Status which was previously filed with the Patent Office.

A refund of \$405 to deposit account 501684 is requested.

Should you have any questions regarding the foregoing, please do not hesitate to contact the undersigned. Your immediate attention to this matter is appreciated.

Sincerely,

Terrell, Baugh, Salmon & Born, LLP


Gary K. Price

GKP/pep
Enclosures



**United States
Patent and
Trademark Office**



Deposit Account Statement

Requested Statement Month: December 2008
 Deposit Account Number: 501684
 Name: TERRELL, BAUGH, SALMON & BORN, LLP
 Attention: GARY K. PRICE
 Street Address 1: 700 S. GREEN RIVER ROAD
 Street Address 2: SUITE 200
 City: EVANSVILLE
 State: IN
 Zip: 47715
 Country: UNITED STATES

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
12/03	11288	E-REPLENISHMENT		9203	-\$1,335.00	\$2,110.00
12/05	1599	E-REPLENISHMENT		9203	-\$700.00	\$2,810.00
12/08	7883	E-REPLENISHMENT		9203	-\$240.00	\$3,050.00
12/22	14057	E-REPLENISHMENT		9203	-\$2,440.00	\$5,400.00
12/22	20	10729841	003797.01281	2453	\$810.00	\$4,680.00
12/22	21	10729841	003797.01281	1801	\$810.00	\$3,870.00
12/31	30	12317792		2111	\$270.00	\$3,435.00
12/31	31	12317792		2111	\$270.00	\$3,435.00
12/31	32	12317792		2311	\$110.00	\$3,325.00
		START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE	
		\$775.00	\$2,165.00	\$4,715.00	\$3,325.00	


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REC -
571-273.6500

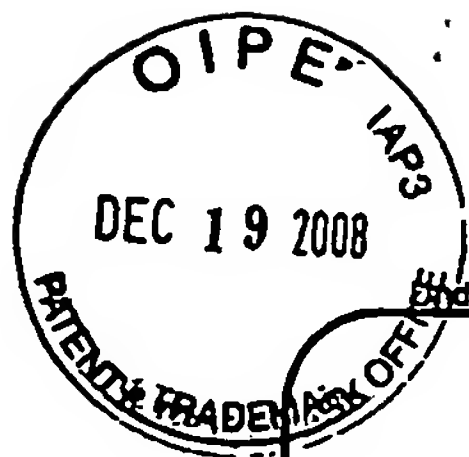
PVS/50108 (12-01)

Approved for use through 03/31/10, OMB 0541-0031

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT CLAIMING SMALL ENTITY STATUS (37 CFR 1.31 & 1.27(b)) - INDEPENDENT INVENTOR		Docket Number (Optional)
Applicant, Patentee, or Identifier: <u>Barney P. Johnson</u>		
Application or Patent No. _____		
Filed or Issued: _____		
Title: <u>Method for Creating Stereograms</u>		
<p>As a below named inventor, I hereby state that I qualify as an independent inventor as defined in 37 CFR 1.9 (c) for purposes of paying reduced fees to the Patent and Trademark Office described in:</p> <p><input checked="" type="checkbox"/> the specification filed herewith with title as listed above.</p> <p><input type="checkbox"/> the application identified above.</p> <p><input type="checkbox"/> the patent identified above.</p>		
<p>I have not assigned, granted, conveyed, or licensed, and am under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).</p>		
<p>Each person, concern, or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:</p> <p><input checked="" type="checkbox"/> No such person, concern, or organization exists.</p> <p><input type="checkbox"/> Each such person, concern, or organization is listed below:</p>		
<p>Representative statements are required from each inventor, concern, or organization holding rights in the invention stating their status as small entities. (37 CFR 1.27)</p>		
<p>I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))</p>		
<u>Barney P. Johnson</u> NAME OF INVENTOR  Signature of Inventor	NAME OF INVENTOR _____ Signature of Inventor	NAME OF INVENTOR _____ Signature of Inventor
<u>December 3, 2003</u> Date	_____ Date	_____ Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual user. Any estimate as to the amount of time you will need to complete this form should be based on the following information: Office, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



12-22-08

JF RCE

PTO/SB/30 (11-08)

Approved for use through 12/31/2008. OMB 0551-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**Request
for
Continued Examination (RCE)
Transmittal**Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/729,841
Filing Date	December 19, 2008
First Named Inventor	Barney P. Johnson
Art Unit	2624
Examiner Name	Alex Liew
Attorney Docket Number	

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____

b. ☒ Enclosed

- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. 501684

- a. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

Adjustment date: 01/23/2009 HDESTA1
12/22/2008 LNGUYEN1 00000021 501684 10729841
01 FC:1801 810.00 CR**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038****SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Signature		Date	12/19/2008
Name (Print/Type)	Gary K. Price, Esq.	Registration No.	45,024

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature		Date	12/19/2008
Name (Print/Type)	Gary K. Price, Esq.		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

01/23/2009 HDESTA1 00000011 501684 10729841

01 FC:2801 405.00 DA

12/22/2008 LNGUYEN1 00000021 501684 10729841
01 FC:1801 810.00 DA